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## FACSIMILE TRANSMISSION

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**DATE: MAY 29, 2007**

**PAGE 1 OF: 22**

**TO: USPTO**

**FACSIMILE No.: (571) 273-8300**

**FROM: DAVID W. OSBORNE**

**TRANSMITTED BY: JUDY ANDERSON**

**OUR DOCKET NO.: 01235-22619.CIP (FORMERLY 22619.CIP)**

**FOR: PHARMACEUTICAL FORMULATIONS & SYSTEMS FOR IMPROVED  
ABSORPTION & MULTISTAGE RELEASE OF ACTIVE AGENT**

**SUBJECT: AMENDMENT & RESPONSE UNDER 37 C.F.R. § 1.111 and SUBSTANCE OF THE  
INTERVIEW UNDER 1.133(B)**

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Commissioner For Patents  
PO Box 1450  
Alexandria, VA 22313-1450

Dear Sir/Madam:

Attached please find an Amendment and Response under 37 C.F.R. §1.111 and Substance of the Interview Under 1.133(b) for Docket No. 01235-22619.CIP (formerly 22619.CIP), Application No. 10/074,687.

Thank you. We await your confirmation of receipt.

Respectfully submitted,

David W. Osborne  
THORPE NORTH & WESTERN, LLP  
Customer No. 20,551  
Reg. No. 44,989

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PTO/SB/21 (04-07)

Approved for use through 09/30/2007. OMB 0651-0031  
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TRANSMITTAL  
FORM

(To be used for all correspondence after initial filing)

Total Number of Pages in This Submission

22

Application Number

10/074,687

Filing Date

2/11/2002

First Named Inventor

CHEN; VENKATESHWARAN; KRILL; PATEL

Art Unit

1615

Examiner Name

Lakshmi Channavajjala

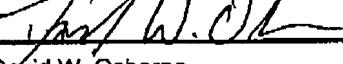
Attorney Docket Number

01235-22619.CIP

## ENCLOSURES (Check all that apply)

<input type="checkbox"/> Fee Transmittal Form	<input type="checkbox"/> Drawing(s)	<input type="checkbox"/> After Allowance Communication to TC
<input type="checkbox"/> Fee Attached	<input type="checkbox"/> Licensing-related Papers	<input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences
<input checked="" type="checkbox"/> Amendment/Reply	<input type="checkbox"/> Petition	<input type="checkbox"/> Appeal Communication to TC (Appeal Notice, Brief, Reply Brief)
<input type="checkbox"/> After Final	<input type="checkbox"/> Petition to Convert to a Provisional Application	<input type="checkbox"/> Proprietary Information
<input type="checkbox"/> Affidavits/declaration(s)	<input type="checkbox"/> Power of Attorney, Revocation	<input type="checkbox"/> Status Letter
<input type="checkbox"/> Extension of Time Request	<input type="checkbox"/> Change of Correspondence Address	<input type="checkbox"/> Other Enclosure(s) (please identify below):
<input type="checkbox"/> Express Abandonment Request	<input type="checkbox"/> Terminal Disclaimer	
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<input type="checkbox"/> Certified Copy of Priority Document(s)	<input type="checkbox"/> CD, Number of CD(s) _____	
<input type="checkbox"/> Reply to Missing Parts/ Incomplete Application	<input type="checkbox"/> Landscape Table on CD	
<input type="checkbox"/> <input type="checkbox"/> Reply to Missing Parts under 37 CFR 1.52 or 1.53		
Remarks		

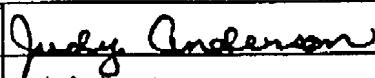
## SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm Name	Thorpe North & Western, LLP		
Signature			
Printed name	David W. Osborne		
Date	5/29/2007	Reg. No.	44989

## CERTIFICATE OF TRANSMISSION/MAILING

I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below:

Signature



Typed or printed name

Judy Anderson

Date 5/29/2007

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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New Docket No. 01235-22619.CIP; Old Docket No. 22619.CIP  
 Serial No. 10/074,687

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## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICANT:	Feng-Jing Chen, et al.	CERTIFICATE OF DEPOSIT UNDER 37 C.F.R. § 1.8
SERIAL NO.:	10/074,687	I hereby certify that this correspondence is being transmitted via facsimile to the United States Patent and Trademark Office, under 37 C.F.R. § 1.8 on the date indicated below to 571-273-8300.
FILING DATE:	2/11/2002	<i>Judy Anderson</i> Judy Anderson
FOR:	PHARMACEUTICAL FORMULATIONS AND SYSTEMS FOR IMPROVED ABSORPTION AND MULTISTAGE RELEASE OF ACTIVE AGENTS	<u>5/29/2007</u> Date of Deposit
ART UNIT:	1615	
EXAMINER:	Lakshmi Channavajjala	
DOCKET NO.:	22619.CIP	

THORPE NORTH & WESTERN, LLP  
 8180 South 700 East, Suite 350  
 Sandy, Utah 84070

AMENDMENT AND RESPONSE UNDER 37 C.F.R. § 1.111  
 SUBSTANCE OF THE INTERVIEW UNDER 1.133(b)

Commissioner for Patents  
 P.O. Box 1450  
 Alexandria, VA 22313-1450

Sir:

In response to the communication mailed February 27, 2007, please enter the amendments and reconsider this application in view of the remarks provided below.

New Docket No. 01235-22619.CIP; Old Docket No. 22619.CIP  
Serial No. 10/074,687

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**INTERVIEW SUMMARY**

An in person interview was held between Applicant's representative and the Examiner on April 26, 2007. During the interview claims 146-233 were discussed. Specifically, the possibility of amending claims 146 and 193 to include a limitation that the first and second fractions are segregated was discussed. Support for such an amendment was also shown and discussed.